REMARKS

Upon entry of the present response, claim 15 will have been amended and claim 35 will have been submitted for consideration by the Examiner. Thus, claims 15-35 are pending in the present application.

In view of the herein contained remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Advisory Action provided.

In the outstanding Official Action, the Examiner rejected claims 15, 23 and 26 under 35 U.S.C. § 103(a) as being unpatentable over TOMAT (U.S. Patent No. 6,459,499) and OS et al. (U.S. Patent No. 6,480,304). The Examiner rejected claims 16-19 and 22 under 35 U.S.C. § 103(a) as being unpatentable over TOMAT and OS et al. in view of SHIMA (U.S. Published Patent Application No. 2002/0004802). The Examiner rejected claims 24 and 25 under U.S.C. § 103(a) as being unpatentable over TOMAT and OS et al. in view of TOMAT (U.S. Patent No. 6,784,925). Claims 20, 21 and 27-34 were rejected under the same rationale as claims 15-19 and 22-26.

Applicant respectfully traverses each of the above-noted rejections and submits that they are inappropriate with respect to the combinations of features recited in each of Applicant's claims. Accordingly, Applicant traverses each of these rejections, requests reconsideration and withdrawal thereof together with an indication of the allowability of all the claims pending in the present application, in due course.

Applicant's invention is directed to a terminal apparatus that is configured to receive image data from a scanner. The terminal apparatus comprises an interface configured to be connected to the scanner by a network. The terminal apparatus includes a memory configured to store information indicating a plurality of file types and an application program associated with each of the plurality of file types, each of the application programs being configured to open a document file associated with at least one of the plurality of the file types.

The terminal apparatus further includes a controller that is configured to receive, from the scanner, a control file including a file name and to also receive from the scanner, a document file, the document file including image data scanned by the scanner. The controller is additionally configured to analyze the file name included in the received control file to obtain the file type of the received document file, and to search the memory to determine whether the application program associated with the obtained file type is stored in memory, and to determine the application program associated with the obtained file type, from the application programs stored in memory. The controller is additionally configured to start the application program associated with the obtained file type to open the received document file based on the application program determined in the search, when it is determined that the application program associated with the obtained file type is stored in memory.

Independent claim 20 recites a network system including a scanner and a terminal apparatus as generally described above while independent claim 21 recites a generally related communication method.

In direct contrast, and as the Examiner admitted in the outstanding Official Actions mailed on August 3, 2006, and October 25, 2006, as well as in the outstanding Advisory Action mailed on January 19, 2007, TOMAT is deficient in that it does not disclose at least a controller

that searches the memory "to determine the application program associated with the obtained file type from the application programs stored in the memory; and start the application program associated with the obtained file type to open the received document file based upon the application program determined in the search".

Thus, it is admitted that the features recited in Applicant's pending claims are not disclosed in or suggested by TOMAT cited by the Examiner. Accordingly, the pending claims are distinguished over TOMAT, at least for this explicitly admitted reason.

In setting forth the rejection, the Examiner relies on OS et al. to overcome the admitted deficiencies of TOMAT. OS et al. relates to a scanner which utilizes software to automate the entire scanning process. The software in the scanning system analyzes a host computer and automatically maps user interface buttons of the scanner with application programs installed on the host computer. The software in the scanner also establishes appropriate predefined scan configurations for each application program mapped to the user interface buttons. When one of the user-interface buttons is pressed, the scanning process is invoked to generate a scanned image of a document. The scanned image is automatically delivered to the application program mapped to the pressed button. Thus the application programs of OS et al. (e.g., in step 61, Fig. 2) relate to the scanning process itself, not to opening a document file, as recited.

However, OS et al. fails to disclose a host computer that searches the memory to determine whether the application program associated with the obtained file type is stored in the memory and to determine the application program associated with the obtained file type from the application programs stored in the memory, and starts the application program associated with the obtained file type to open the received document file based upon the application program

determined in the search, when it is determined that the application program associated with the obtained file type is stored in the memory.

Rather, OS et al. merely teaches determining whether the identified application program is already active or not. In OS et al., when the identified target application program is already active, the file containing the scanned image is dropped into the target application program to display the scanned image (Fig. 2, step 69). On the other hand, when the target application program is not active, the identified target application program is launched to display the scanned image (step 67). Regardless of whether step 67 or 69 is executed, the scanned image is presented in a display generated by the identified application program (column 6, lines 2-4). Thus, OS et al. fails to determine whether the application program associated with the obtained file type is stored in the memory. For this reason, OS et al. also does not disclose starting the application program associated with the obtained file type to open the received document file based upon the application program determined in the search, when it is determined that the application program associated with the obtained file type is stored in the memory.

In direct contrast to the claim recitations, OS et al. determines whether the target application program is active (not that it is contained in the memory) and in response to a determination that the program is active automatically drops the scanned image into the target application program. On the other hand, when the target application program is determined to not be active, OS et al. automatically launches the target application program using the scanned image. In other words, automatic launch occurs in response to a determination that the target application program is not active, whereas in the present application, when the application program is determined to be contained in the memory, the received document file is opened based upon the application program determined in the search. Thus, OS et al. clearly cannot

supply at least the admitted deficiencies of the TOMAT primary reference relied upon by the Examiner.

Additionally, in OS et al., before scanning an image (Fig. 2, step 61), the identified application program is executed to pre-configure operation of the scanner (Fig. 2, steps 51-55). In other words, before scanning the image (Fig. 2, step 61), the target application program is already identified (Fig. 2, step 59). Thus, regardless of whether the identified application program is already active or not, the scanned image can be presented in a display (column 6, lines 2-4).

In direct contrast, in the present invention, after receiving the scanned image data at the terminal apparatus, it is determined whether the application program associated with the obtained file type is stored in the memory. Thus, the terminal apparatus starts the application program associated with the obtained file type to open the received document file based upon the application program determined in the search, when it is determined that the application program associated with the obtained file type is stored in the memory. On the other hand, the terminal apparatus closes the connection with the scanner apparatus without opening the received document file, when it is determined that the application program associated with the obtained file type is not stored in the memory (Fig. 9, ST 918). In other words, according to the present invention, the terminal apparatus does not start the application program associated with the obtained file type to open the received document file, when it is determined that the application program associated with the obtained file type is not stored in the memory (claim 35).

Thus, the pending claims are clearly distinguished over OS et al.

In addition, it is respectfully submitted that the features recited in Applicant's pending claims are not disclosed in or suggested by any proper combination of TOMAT and OS et al.

cited by the Examiner. In particular, even the proposed combination of TOMAT and OS et al. would not include a controller of a terminal apparatus that is configured to search the memory of the terminal apparatus to determine whether the application program associated with the obtained file type is stored in the memory and to determine an application program associated with the obtained file type of the application programs stored in the memory of the terminal apparatus, or to start the application program associated with the obtained file type to open the received document file based on the application program determined in the search by the controller of the terminal apparatus when it is determined that the application program associated with the obtained file type is stored in the memory. Thus, the pending claims are also submitted to be patentable over the Examiner's proposed combination, since even the combination of TOMAT and OS et al. does not disclose the combinations of features recited in Applicant's pending claims.

Moreover, the Examiner has not set forth a proper motivation for combining TOMAT with OS et al. TOMAT and OS et al. do not disclose at least a controller that searches the memory to determine whether the application program associated with the obtained file type is stored in the memory, to determine the application program associated with the obtained file type from the application programs stored in the memory, and to start the application program associated with the obtained file type to open the received document file based upon the application program determined in the search when it is determined that the application program associated with the obtained file type is stored in the memory.

In particular, TOMAT is directed to technology for transmitting an image to a remote recipient. In direct contrast, OS et al. is directed to scanning an image and displaying the image on the scanner. OS et al. does not relate to transmitting the scanned image at all. Accordingly,

there is no reason to combine the teachings of TOMAT and OS et al. as proposed by the Examiner. In this regard, Applicant notes that the citations by the Examiner to TOMAT at column 8 regarding receiving the control file and at column 14 regarding analyzing the file name, relate to the recipient of the image file. However, the features of OS et al. that the Examiner proposes to combine therewith, to arrive at the features of the recited controller, relate to the installation of software to control a scanner and are unrelated to the recipient of the image data since OS et al. displays the scanned image on a display of the scanner.

Thus, if there would be any motivation to combine the features of OS et al. with the system of TOMAT, it would be to include the features of the scanner of OS et al. as features of the transmitting apparatus (rather than the receiving apparatus) of TOMAT et al. This is clearly not what Applicant's claim recites and thus such a combination would not teach the combination of features recited in Applicant's claims. Accordingly, there is no logical basis for the Examiner's proposed combination.

In regard to the rejection of claims 16-19 and 22, Applicant does not dispute the conventionality of the Lpr/Lpd protocol per se nor of displaying image data on a display of a terminal in the form of a thumbnail, per se. However, the utilization of these various features of Applicant's invention, in the manner recited in the various combinations of Applicant's claims, is not taught, disclosed nor rendered obvious, regardless of whether these features themselves are disclosed by SHIMA.

Further, Applicant submits that dependent claims 24 and 25 are respectively dependent from allowable independent claim 15, which is allowable for at least the reasons discussed supra. Thus, these dependent claims are also allowable for at least the reasons discussed supra. Further,

all dependent claims set forth a further combination of elements neither taught nor disclosed by any of the applied references.

Regarding the Examiner's assertions regarding claims 26, 30 and 34, Applicant submits that the Examiner is incorrect. In fact, the Examiner's position is explicitly contradicted by column 10, lines 22-26 of TOMAT.

For each of the above-noted reasons and certainly for all of the above-noted reasons, it is respectfully submitted that the Examiner's rejections, as set forth in the above-mentioned Official Action, are inappropriate and should be reconsidered and withdrawn.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections and an indication of the allowability of the pending claims, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the pending claims and has submitted a new claim for consideration by the Examiner. With respect to the pending claims, Applicant has discussed the disclosure of the references relied upon by the Examiner, and the features recited in the claims, and has pointed out the shortcomings of the references with respect thereto, as well as the lack of any proper motivation for the combination. Accordingly, Applicant has provided a clear evidentiary basis for the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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